

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GENOVEVA ZARAGOZA,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:22-CV-1806-G-BK
PHH MORTGAGE CORPORATION,)	
)	
Defendant.)	

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

On March 7, 2023, United States Magistrate Judge Renée Harris Toliver made findings, conclusions, and a recommendation in this case. *See generally* Findings, Conclusions and Recommendations of the United States Magistrate Judge (docket entry 14). The findings, conclusions, and recommendation read, in pertinent part, as follows:

Defendant PHH Mortgage Corporation's Motion to Dismiss, Doc. 4, should be **GRANTED**, and Plaintiff's claims should be **DISMISSED WITHOUT PREJUDICE**. In the interest of justice, however, **Plaintiff is granted leave to file an amended complaint by March 21, 2023**. If Plaintiff fails to do so, or if her amended complaint fails to cure the deficiencies noted herein or state any legally cognizable claim, Plaintiff's claims should be dismissed with prejudice upon Defendant's re-urging.

The plaintiff filed neither objections nor an amended complaint. On March 22, 2023, the defendant filed a “re-urged motion to dismiss[.]” *See generally* Defendant PHH Mortgage Corporation’s Re-Urged Motion to Dismiss (docket entry 15); see also *id.* at 1 (“Plaintiff has failed to amend her complaint by the March 21, 2023 deadline and, per the Recommendation, Defendant respectfully requests that this Court enter an order dismissing all of Plaintiff’s pending claims against Defendant *with prejudice*”) (emphasis added).

The court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge. The defendant’s motions to dismiss (docket entries 4, 15) are **GRANTED**. Accordingly, the plaintiff’s claims are **DISMISSED** with prejudice.

SO ORDERED.

April 6, 2023.



A. JOE FISH
Senior United States District Judge